

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ALEX BELFER, et al.,)	Case No. 1:05CV2473
)	
Plaintiffs,)	
)	Judge Ann Aldrich
vs.)	
)	
OLEG MINKO, et al.,)	
)	<u>ORDER</u>
Defendants.)	
)	

This is an action for breach of contract, incorporating, *inter alia*, allegations of fraud, conversion, and extortion. Plaintiffs Alex Belfer and Action Software, Inc. (collectively, “Action”) seek an order enjoining defendants Oleg Minko, Nellie Izmaylova, Claudia Minko, Sonsco, Inc., & WebImage 2000, Inc. (collectively, “WebImage”), from interfering with the proper functioning of the website Action-DVD.com. Action filed its Complaint in this court on October 20, 2005 (Docket No. 1).

Also on October 20, Action filed a motion seeking entry of a preliminary injunction and a temporary restraining order (TRO)(Docket No. 3). The parties appeared before the Court to present argument on whether a TRO should issue. On October 21, 2005, the court, for good cause shown, granted Action’s request and ordered WebImage to cease interfering with the Action-DVD.com site, subject to the posting of a bond (Docket No. 5). The TRO was to run for ten days, exclusive of Saturdays, Sundays, and holidays, *i.e.*, through and including today, November 4, 2005.

Action has since filed a motion for an extension of the TRO (Docket No. 9). Pursuant to Federal Rule of Civil Procedure 65(b) and for good cause shown, the motion is hereby granted. The TRO shall run for an additional ten days (excluding weekends and holidays), *i.e.*, through and including Monday, November 21, 2005. The terms of the Court's order of October 21 shall continue to apply in all respects.

A hearing will be set for 10:00 am on Tuesday, November 15, 2005, for the purpose of determining whether a preliminary injunction should issue.

This is not a final and immediately appealable order. *See In re Lorillard Tobacco Co.*, 370 F.3d 982, 987 n.9 (9th Cir. 2004); *Ross v. Bilow*, 100 F.3d 941, 1996 WL 11828 (2nd Cir. Jan. 2, 1996).

IT IS SO ORDERED.

_____/s/ Ann Aldrich_____
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: November 4, 2005